

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JUNE 1, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, June 1, 1966, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
KIRSTEN and WALTON (Mayor)

Absent: Councilmen - None

Also present were City Manager Graves, City Attorney Mullen, Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES Minutes of May 18, 1966 were approved as written and mailed on motion of Councilman Kirsten, Brown second.

PUBLIC HEARINGS

1965 EDITION Notice thereof having been published in accordance
NATIONAL with law, Mayor Walton called for public hearing on
ELECTRICAL CODE the proposal to adopt by reference the National
ADOPTION Electrical Code, 1965 Edition. There were no protests,
written or oral. Councilman Brown moved the intro-
duction of Ordinance No. 817 amending Section 9-1 of
ORD. NO. 817 the City Code and thereby adopting by reference the
INTRODUCED National Electrical Code, 1965 Edition. The motion
was seconded by Councilman Culbertson and carried by
unanimous vote.

VACATE Notice thereof having been published and posted in
EASEMENTS accordance with law, Mayor Walton called for public
IN WINDSOR TR. hearing on the proposed abandonment of portions of
easements in the Windsor Tract. City Manager Graves
ORDER explained that the Planning Commission had granted a
ADOPTED use permit for the erection of a convalescent home on
property between Windsor and York Streets on the east
side of Fairmont Avenue in the Windsor Tract and it
was therefore necessary to change the location of
portions of certain easements. The City has been
requested to abandon such portions of the present
easements and the property owners are dedicating new
easements. There were no protests, written or oral.
On motion of Councilman Kirsten, Hunnell second, the
City Council adopted its Order abandoning portions of
easements in Windsor Tract as recommended.

E. LODI AVE. Notices thereof having been mailed to property owners
ST. LIGHTING and also published and posted in accordance with law,
DISTRICT the Mayor called for hearing on the assessment for
the East Lodi Avenue Street Lighting District.
Mr. Isadore Salaun, 431 East Lodi Avenue, stated it
was his understanding the the property owners were to
pay only for the light standards and heads, and at
\$1.50 a front foot (the amount of the assessment) he
and some of his neighbors had figured that they would
be paying \$400 for each light. Mr. Salaun wanted
to know the actual cost for a standard and head which
he thought should be less than \$400. Mr. Graves said
the contract was a lump sum so the City did not have
the cost of separate items. On being questioned,
Mr. Salaun said that when a meeting of the property
owners was held to consider the forming of the assess-
ment district, they had been told by one of the
City's engineers that since it was a case of replacing

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existing lights, the property owners would be paying for the standards and heads only and the cost would be around \$250 each. City Manager Graves said he had never heard of this type of explanation.

Mr. Joe Schultz, 413 East Lodi Avenue, said he was in agreement with Mr. Salaun and that the property owners had been told by a City employee that they would pay just for the standards and heads. Mr. Salaun and Mr. Schultz were aware that the assessment could go as high as \$1.50 per front foot. The Council felt there could have been some misunderstanding and on motion of Councilman Hunnell, Kirsten second, the Council continued the hearing to June 15, 1966 in order to find out what had been said by the City representative at the meeting of the property owners referred to by Mr. Salaun.

REZONING 830 &
836 S. CENTRAL
TO C-1

ORD. NO. 819
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Walton called for hearing on the proposed rezoning of 830 and 836 South Central Avenue from the R-3 Limited Multiple-Family Residential District to the C-1 Neighborhood-Commercial District. Mr. Graves explained that in 1952 when a new District Map of the City had been adopted, the above properties had been rezoned without the knowledge of the owners. The matter had just come to light recently. Mr. Herb Guelzle, 124 South Central Avenue, owner of the property at 830 South Central, said the City had zoned the property to C-1 in 1945 so that he could build a plumbing shop and that until recently he had not known that the zoning had been changed. He did not want his shop to be a non-conforming use and was therefore requesting return to C-1 zoning. The Planning Commission had recommended the rezoning of 836 South Central to avoid having it sandwiched between two commercial parcels. There were no protests to the rezoning, written or oral. Councilman Brown moved the introduction of Ordinance No. 819 rezoning the property at 830 and 836 South Central Avenue from R-3 to C-1. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

PREZONING
1851 S. STOCKTON
TO M INDUSTRIAL

ORD. NO. 820
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for hearing on the recommendation of the Planning Commission to prezone 15 acres at 1851 South Stockton Street to "M" Industrial. The property is to be annexed to the City. Mr. Jim Gerard, 106 South Orange Avenue, spoke in favor of the prezone. There was no one present against the prezone. On motion of Councilman Kirsten, Brown second, the City Council by unanimous vote introduced Ordinance No. 820 prezone property at 1851 South Stockton Street to "M" Industrial.

PLANNING COMMISSION

REZONING NW COR.
CHEROKEE &
POPLAR TO C-2
AND R-4

The Planning Commission recommended that the O. D. Kettelman property at the northwest corner of Poplar Street and South Cherokee Lane be rezoned from the C-S Commercial-Shopping District to R-4 Multiple-Family Institutional District for the west 110 feet of the property, which faces on Garfield Street, and to C-2 General Commercial for the balance of the property. On motion of Councilman Brown, Culbertson second, the matter was set for public hearing on June 15, 1966.

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OTHER PC ACTION

In other action, the Planning Commission:

1. Denied the request for a use permit to use two existing flashing-arrow signs at the Log Cabin Restaurant, 228 N. Cherokee Lane.
2. Adopted a resolution opposing curb-side mail delivery.
3. Approved the request of Union Oil Company for a use permit for a rotating sign at the northeast corner of Cherokee Lane and Victor Road.
4. Approved with 13 conditions the request of the Euclid Shopping Center, Inc., for a use permit to construct Phase I of the West Lane Shopping Center at the southeast corner of Kettleman Lane and West Lane.
5. Set a special work session for June 20, 1966 to consider possible amendments to the Lodi General Plan, standards for off-street parking lots and parking stalls, and required structural attachments between units in multiple-family dwellings.

COMMUNICATIONS

MEETING RE
SISTER CITY
PROGRAMS

A letter was read from Mr. Elmer S. Andersen, Northern California Regional Representative, Sister-City Program, inviting the chairman of Lodi's Sister-City Committee to attend a meeting with Mr. Snowden Chambers of Washington, D. C., USIA office. The meeting is to be held in Millbrae on June 9. The letter was referred to Mr. George Creighton.

CURB-SIDE
MAIL BOXES

A letter was read from U. S. Senator Thomas H. Kuchel acknowledging receipt of the City's resolution relative to curb-side mail boxes and stating that he has been working to have the order of the Postmaster General rescinded and would continue to do so.

M. A. LIMA
RE SACTO-PINE
INTERSECTION

A letter was received from Mr. Michael A. Lima requesting that traffic signals be placed at the intersection of Sacramento and Pine Streets and stating that the Lodi Arch added to the traffic hazards.

HIGHWAY
PROJECTS
MEETING

An invitation was received from the California State Chamber of Commerce to attend a meeting of the Chamber's Annual Highway Projects Meetings for the counties in the Central Valley Region. The San Joaquin County meeting is to be held in Manteca on June 14, 1966 at 7:30 p.m.

ABC LICENSES

The following notices of applications for Alcoholic Beverage Licenses were received:

1. Person to Person Transfer, On Sale General, Hazel and Kenneth Nichols, Piemonte Hotel, 104 E. Lodi Ave.
2. Original Application, Off-Sale Beer and Wine, Carole E. & Paul E. Mettert, Speedy Mart 7-11, 401 N. California Street.
3. Person to Person Transfer, On Sale Beer & Wine, Riza Esmail and Pauline A. Pollard, Victory Club, 122 N. Sacramento Street.

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4. Person to Person Transfer (dropping partner, adding new), Off Sale Beer & Wine, Clifford K. Miura, E. T. Wakimoto, Henry J. Yamaoka and Ted K. Yamada, Sell-Rite #1, 204 W. Lodi Avenue and Sell-Rite #2, 1320 West Lockeford Street.

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$260,328.80 were approved on motion of Councilman Kirsten, Hunnell second.

AUTHORIZE SALE OF PENSION FUND HOLDINGS On motion of Councilman Kirsten, Culbertson second, the City Council adopted by unanimous vote Resolution No. 2948 authorizing Fred C. Wilson, Director of Finance, to sign all necessary documents relating to the sale and disposal of all City Pension Fund holdings. The disposal of such holdings are being made in conjunction with the entry of the City into the State Employee's Retirement System.

RES. NO. 2948 ADOPTED

AWARD - MILLS AVENUE STORM DRAIN The following bids were received on the Mills Avenue Storm Drain:

	<u>Certified Pipe & Const. Co.</u>	<u>W. H. Lyles Company</u>	<u>Tompkins & Gallaven</u>
Alt. 1	---	\$16,343.25	\$22,697.10
Alt. 2	\$11,028.25	---	15,835.20
Alt. 3	13,142.40	---	18,251.55
Alt. 4	---	\$19,463.75	27,556.50

Mr. Graves explained that Alternate 2 was for 30" cast-in-place pipe and Alternate 3 was for 36" cast-in-place pipe. Using the 36" pipe will reduce the amount of fill required by the subdivider by 32,000 cubic yards. Mr. Graves recommended that award be made to the low bidder for Alternate 3. On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2949 awarding the contract to Certified Pipe and Construction Company for Alternate 3 at a total cost of \$13,142.40

SPECIAL CENSUS COUNT Mr. Graves reported that a certificate had been received from the Bureau of the Census giving the official count of the returns of the Special Census, taken as of March 23, 1966, as being 27,018.

ORDINANCES

OFF-STREET PARKING REQUIREMENTS ORDINANCE NO. 818, entitled "AN ORDINANCE AMENDING SECTION 27-13(b)13 OF THE LODI CITY CODE AND THEREBY CHANGING OFF-STREET PARKING REQUIREMENTS," having been introduced at the regular meeting of May 18, 1966, was brought up for passage on motion of Councilman Brown, Kirsten second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, HUNNELL, KIRSTEN and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - None

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REPORTS OF THE CITY MANAGER (continued)

REMOVAL OF
HOUSES -
CIVIC CENTER
SITE

The City Manager reported that the houses at 23 and 27 North Church Street would soon be vacant and he suggested that they be advertised for sale. The house at 312 West Elm Street has been vacated but the former owner has the option to move the house before the end of June. If it is not moved before the end of the month, the City could offer it for sale also. Councilman Culbertson moved that the two houses on Church Street be advertised for sale by auction and that the house on Elm Street be advertised also if it is ready. The motion was seconded by Councilman Kirsten and carried.

SALE OF
POLICE CARS

The City has some police cars to sell, and after investigation, the Finance Director is recommending that the City set a firm price of \$1200 each, as is. The Council was in agreement that the cars should be advertised for sale at that price.

SUPT. OF
UTILITIES

Mr. Glaves introduced Mr. Royal Newman, newly-appointed Superintendent of Public Utilities, to the City Council.

POSTPONE
REMODELING
CHAMBERS

Councilman Brown stated that after seeing the new City Hall in Watsonville, he was in favor of postponing the remodeling of the City Hall. Councilman Culbertson said that in discussing the remodeling of the Council Chambers with Mr. Arlie Preszler and Mr. Robert Snyder at the May 4 Council meeting, he had gotten an inkling of changes that should take place in the entire building. He felt present plans to remodel the Chambers should be dropped and the entire City Hall master planned. Councilman Culbertson moved that Mr. Preszler be compensated for his work and that remodeling of the Council Chambers be continued until such time as the City has a master plan for the City Hall. His motion was seconded by Councilman Brown. Other members of the Council felt such action would be to the best interests of the City and the motion carried by unanimous vote.

CITY HALL
MASTER PLAN
AND SPACE
STUDY

The City Manager mentioned the advisability of having a firm, such as SRU, make space studies of the City Hall. He felt this was the first place to start, master planning the organization needs. Councilman Culbertson proposed that at the earliest convenient date the Council discuss with Mr. Marion J. Varner the master planning of the City Hall. He felt Mr. Varner could recommend a reliable concern to do the space study if he could not do it himself. Councilman Kirsten said a commitment had been made to Mr. Preszler and he should be retained insofar as the Council Chambers is concerned. Councilman Culbertson said it would depend on negotiations with Mr. Varner. Mr. Preszler, who was in the audience, stated that he felt it was wise for the Council to examine the entire building and he would be happy to cooperate with anyone the Council would get. Mayor Walton thanked Mr. Preszler for the work he had done.

UNDERPASSES

Mayor Walton said something should be done about getting underpasses at Kettleman Lane and Lodi Avenue and the City should have a meeting with State representatives to discuss requirements for getting State aid. City Attorney Mullen explained the procedures to be followed in order to get on the priority list

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established by the State Public Utilities Commission in the expenditure of funds for grade separations. Councilman Hunnell stated that the Chamber of Commerce has a committee which has been working weekly, getting out petitions, making surveys, etc., on the need for the underpasses. Councilman Brown said this committee has also had meetings with representatives of the Southern Pacific Company and the Public Utilities Commission. Mr. Graves commended the work of the Chamber and said it was more effective than if it were being done by the City. He said that since Kettleman Lane is a State Highway, the State would be preparing the plans and doing the preliminary work for that site before coming to the City for participation. On the other hand, in regard to an underpass at Lodi Avenue, the City would have to prepare plans and costs, work with the railroad company, etc., before going to the PUC. City Attorney Mullen mentioned the City would also need to have its share of funds available before the project could get on the PUC priority list.

SP SWITCHING

Mayor Walton asked if anything was being done about the switchyards in the downtown area. Mr. Graves said he has been discussing this with representatives of Southern Pacific and will have further meetings with them.

VIOLATIONS OF
ENCROACHMENT
ORDINANCE

Mayor Walton said he wished to discuss the matter of merchants using right of way in violation of the City's encroachment ordinance. He has noticed the violations and feels the ordinance should be enforced or abandoned. Councilman Kirsten said the ordinance was new and the people need time to get used to it. Mr. Graves said the City has been trying to get the merchants to comply without giving citations. Mayor Walton suggested a warning citation. City Attorney Mullen suggested that one officer be responsible for enforcement of the ordinance. Mr. Graves thought a letter of warning would be sufficient. HOWEVER, MEMBERS OF THE COUNCIL WERE IN AGREEMENT THAT A WARNING CITATION SHOULD BE ISSUED FOR VIOLATIONS OF THE ENCROACHMENT ORD. The Council adjourned to executive session in the Conference Room at 9:50 p.m.

MINUTES OF 6/15/66

EXECUTIVE
SESSION

ADJOURNMENT

The executive session ending at 10:10 p.m., the Council returned to the Council Chambers and adjourned to the next regular meeting.

Beatrice Garibaldi
ATTEST: BEATRICE GARIBALDI
CITY CLERK